P.R. No. 479256
Presented by Shri M.K. Rai
dated 29/8/06

CF 1002 (3) (5)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR CHHATTISGARH

W.P. (S) NO. 4752/2006

PETITIONER : S.B. Bareth, S/o. Shri S.R. Bareth, Aged about 48 years, R/o. Irrigation Colony, Shivani Champa, District Janjgir Champa (Chhattisgarh)

VERSUS

RESPONDENTS :

1] State of Chhattisgarh, Through: Secretary, Water Resources Department, Mantralaya, D.K.S. Bhawan, Raipur, District Raipur (CG)

2] Engineer-in-Chief, Water Resources Department, Sinhawa Bhawan, Raipur (Chhattisgarh)

3] Chief-Engineer, Minimata, Hasdeo Bango Pariyojana, Bilaspur, District Bilaspur (Chhattisgarh)

4] Executive Engineer, Minimata Bango Dem Division No.2, Champa, District Janjgir-Champa (Chhattisgarh)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

(93)

HIGH COURT OF CHHATTISGARH AT BILASPUR

S.B. : HON'BLE MR. SATISH K. AGNIHOTRI, J.

WRIT PETITION (S.) NO.4752 OF 2006

Petitioner	:	S.B. Bareth
	versus	
Respondents	:	State of Chhattisgarh and others

Present : Mr. Manoj Paranjpe, counsel for the petitioner.
Mrs. Anju Ahuja, Deputy Government Advocate for the respondents/State.

ORDER

(Passed on 4th of September, 2006)

Learned counsel appearing for the petitioner submits that the petitioner has worked for more than 5 years in the tribal area. As per memo dated 20-10-2005 (Annexure P-7) issued by Government of Chhattisgarh, an employee, who has worked for minimum 5 years in the tribal area, should be considered for appointment in any other area on the basis of options given by the employee. Learned counsel further submits that the State Government has completely overlooked para 3 of its memo dated 20-10-2005 (Annexure P-7).

(94)

2. It is lastly submitted by learned counsel for the petitioner that the Government may be directed to consider the case of the petitioner in the light of the said memo dated 20-10-2005 (Annexure P-7), to which learned counsel appearing for the respondents/State has no objection.

3. The competent authorities are accordingly directed to consider the case of the petitioner in the light of the above memo dated 20-10-2005 (Annexure P-7) in accordance with law. On such representation, if any being made by the petitioner, the same shall be disposed of in accordance with law within a period of four weeks from the date of receipt of the representation.

4. Accordingly, the petition stands disposed of. No order as to costs.

Certified copy as per rules.

Sd/-
Satish K. Agnihotri
Judge

Gopal